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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

SEARS HOLDING CORPORATION, *et al.*,

Case No. 18-23538 (RDD)

Debtor.

(Jointly Administered)

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**MOTION OF PEARL GLOBAL INDUSTRIES LTD. FOR
ORDER SHORTENING NOTICE PERIOD WITH RESPECT
TO APPLICATION FOR ALLOWANCE AND PAYMENT
OF FEES AND EXPENSES PURSUANT TO BANKRUPTCY
CODE SECTIONS 503(b)(3)(D) AND 503(b)(4)**

TO THE HONORABLE ROBERT D. DRAIN,
UNITED STATES BANKRUPTCY JUDGE:

Pearl Global Industries Ltd. ("Pearl Global"), by and through its attorneys, Davidoff
Hutcher & Citron LLP ("DHC"), hereby files this motion (the "Motion to Shorten") for entry of
an order, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy
Rules"), shortening the notice period with respect to the Application of Pearl Global for Allowance
and Payment of Fees and Expenses Pursuant to Bankruptcy Code Sections 503(b)(3)(D) and
503(b)(4) (the "Application"), filed contemporaneously herewith. In support of the Motion to
Shorten, Pearl Global respectfully represents as follows:

JURISDICTION

1. The United States District Court for the Southern District of New York has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. §§ 157(b)(2)(A), (B), and (O). Venue is proper pursuant to 28 U.S.C. § 1408 and 1409. The statutory predicates for the relief sought herein are sections §§ 503(b)(3)(D) and 503(b)(4) of the Bankruptcy Code.

BACKGROUND

2. The relevant facts are set forth in the accompanying declaration of David H. Wander, Esq. (the “Wander Declaration.”) and those facts are incorporated herein.

RELIEF REQUESTED

3. Pearl Global requests the entry of an order, substantially in the form attached as **Exhibit A** hereto (the “Proposed Order”), (i) shortening the notice period with respect to the Application, (ii) setting the Application to be heard at the omnibus hearing currently scheduled for 10:00 a.m. (ET) on December 10, 2020, and (iii) setting the objection deadline for the Application for 4:00 p.m. on December 8, 2020.

4. Bankruptcy Rule 9006(c)(1) provides that “the court for cause shown may in its discretion with or without motion or notice order the period [for notice] reduced.” Pearl Global submits that cause exists to shorten the notice period as requested herein. *See* Wander Declaration at ¶28.

5. Shortening the notice period should not unduly prejudice any party in interest, as there will be sufficient time for parties in interest to review and respond to Pearl Global’s application.

6. No prior request for the relief requested herein has been made to this or any other Court.

WHEREFORE, Pearl Global requests entry of an order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein, for which no prior application has been made, and granting such other relief as the Court deems just and proper.

Dated: New York, New York
December 1, 2020

DAVIDOFF HUTCHER & CITRON LLP

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Exhibit A
Proposed Order

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

SEARS HOLDING CORPORATION, *et al.*,

Case No. 18-23538 (RDD)

Debtor.

(Jointly Administered)

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**ORDER GRANTING MOTION OF PEARL GLOBAL
INDUSTRIES LTD. FOR ORDER SHORTENING NOTICE
PERIOD WITH RESPECT TO APPLICATION OF PEARL
GLOBAL INDUSTRIES LTD. FOR ALLOWANCE AND
PAYMENT OF FEES AND EXPENSES PURSUANT TO
BANKRUPTCY CODE §§ 503(b)(3)(D) AND 503(b)(4)**

Upon consideration of the Motion of Pearl Global for Order Shortening Notice Period With Respect to Application of Pearl Global for Allowance and Payment of Fees and Expenses Pursuant to Bankruptcy Code §§ 503(b)(3)(D) and 503(b)(4) (the “Motion to Shorten”), for entry of an order, pursuant to Bankruptcy Rule 9006(c), shortening the notice period with respect to the Application, all as more fully described in the Motion to Shorten; and the Court having jurisdiction to consider the Motion to Shorten and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion to Shorten and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion to Shorten having been provided and no further notice being required under the circumstances; and upon the Court’s review of the Motion to Shorten; and upon the Court’s determination that the legal and factual bases set forth in the Motion to Shorten establish just cause for the relief requested therein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion to Shorten is GRANTED as set forth herein.
2. The Application will be heard at the hearing currently scheduled for 10:00 a.m. (ET) on December 10, 2020. Any responses or objections to the Application must be filed no later than 4:00 p.m. (ET) on December 8, 2020.
3. Pearl Global is authorized to take all actions necessary to effectuate the relief granted in this order.
4. This Court shall retain exclusive jurisdiction to hear and decide all matters arising from or related to this order.

Dated: White Plains, New York
December __, 2020

HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE